



Children of Incarcerated Caregivers

2025 Mexico Prison Nursery Report

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In Mexico, mothers have an automatic right to have a child born during their incarceration reside in prison with them until age three, or in select facilities, age six. However, most prisons lack necessary infrastructure such as *bebetecas* (nurseries) or mothers' units to support cohabitation. Some are even described as violent, overpopulated, and inhumane.² As a result, mothers often choose to have their children placed with alternate caregivers, in orphanages, or other state institutions.

Restrictive visitation policies, financial burdens, and distressing security procedures hinder contact and relationships between incarcerated parents and their children who live outside of prison. These barriers impact the thousands of youth with incarcerated parents in Mexico.

Non-governmental organizations have taken a lead in improving conditions for children who live in prisons and support affected parents, families, and youth. However, many challenges persist in addressing the needs of this population.

Acronym Key

Acronym	Title	Translation
CEFERESOS	Centros Federales de Readaptación Social	Federal Centers for Social Rehabilitation
CENDI	Centro de Desarrollo Infantil	Center for Child Development
CEPAL	La Comisión Económica para América Latina	Economic Commission for Latin America and the Caribbean

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² Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias en las que se encuentran las hijas e hijos de las mujeres privadas de su libertad en once centros penitenciarios de la República Mexicana. Propuesta de políticas públicas para atender de manera integral sus necesidades más apremiantes* [Assessment of the Conditions of the Children of Incarcerated Women in Eleven Penitentiary Centers in the Mexican Republic. A Public Policy Proposal to Comprehensively Address Their Most Pressing Needs], 2016, 35, <https://reinserta.org/wp-content/uploads/2023/09/Diagnostico-de-Maternidad.pdf>.

CNDH	Comisión Nacional de los Derechos Humanos	National Human Rights Commission
CNS	Comisión Nacional de Seguridad	National Security Commission
CWS	Church World Service	
DIF	Sistema Nacional para el Desarrollo Integral de la Familia	National System for Integral Family Development
ENPOL	Encuesta Nacional de la Población Privada de la Libertad	National Survey of the Population of Incarcerated People
FUNFAI	Fundación Familiar Infantil, IAP (Institución de Asistencia Privada)	Family and Children's Foundation (Private Assistance Institution)
INEGI	Instituto Nacional de Estadística y Geografía	National Institute of Statistics and Geography

I. Overview of the Mexican Prison System & Population

Mexico is a federal republic, consisting of 31 states and a federal district which contains its capital, Mexico City.³ Its prison system is organized among federal, state, and municipal lines, which are overseen by the National Security Commission *Comisión Nacional de Seguridad*, CNS).⁴ Under the CNS operates the Decentralized Administrative Body for Prevention and Social Rehabilitation (*Órgano Administrativo Desconcentrado de Prevención y Readaptación Social*), which manages the federal prison system, the Federal Centers for Social Rehabilitation (*Centros Federales de Readaptación Social*, or CEFERESOS).⁵

Mexico ranks ninth in global prison populations, with an incarceration rate of 177 per 100,000 people.⁶ There are 279 total prisons across the country: 14 federal facilities, 13 in

³ “The Government,” Embassy of Mexico United Kingdom, accessed October 1, 2024, https://embamex.sre.gob.mx/reinounido/images/stories/PDF/Meet_Mexico/13_meetmexico-government.pdf.

⁴ Caitlyn Yates, Penitentiary System Reform (Robert Strauss Center for International Security and Law, May 2017), 1, <https://www.strausscenter.org/wp-content/uploads/Penitentiary-System-Reform-2017.pdf>; “World Prison Brief Data: Mexico,” World Prison Brief, accessed June 1, 2024, <https://www.prisonstudies.org/country/mexico>.

⁵ World Prison Brief, “Mexico.”

⁶ “Incarceration Rates by Country 2025,” World Population Review, accessed March 19, 2025, <https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country#top-10-countries-with-the-most-people-in-prison>; “Mexico,” World Prison Brief, accessed March 19, 2025, <https://www.prisonstudies.org/country/mexico>.

Mexico City's Federal District, and 252 state-run institutions.⁷ Among these, only 18 prisons are exclusively women's facilities.⁸ Women's prisons, or *Centros Femeniles*, house approximately 40 percent of the population of incarcerated women, while the remaining 60 percent are housed in mixed-gender centers.⁹

Across both state and federal facilities, there are approximately 14,000 incarcerated women, composing 5.8 percent of Mexico's entire prison population.¹⁰ A significant proportion of incarcerated women in Mexico are detained pretrial. Mexico City's Human Rights Commission (*Comisión Nacional de los Derechos Humanos, CNDH*) reported that in 2022, nearly half of all incarcerated women had not yet received a sentence, and 30 percent were incarcerated for two years or longer before sentencing.¹¹ Mexico's criminal legal system presumes the accused guilty until proven innocent, leading to mandatory pre-trial detention for many offenses.¹² This policy, combined with a slow judicial process, results in prolonged pretrial detention and lengthy sentences.¹³ Some remain in pretrial detention for up to five years, with average sentence lengths extending to 10 years.¹⁴ Women often receive lengthier sentences compared to men, serving an average of six years longer than men convicted of the same offenses.¹⁵

Although data on ethnicity and economic status of incarcerated women is unavailable, other statistics provide insight into the demographics of this population: approximately 3 percent

⁷ Mexico Secretariat of Security and Citizen Protection, *Cuaderno Mensual de Información Estadística Penitenciaria Nacional* [Quarterly Journal of National Penitentiary Statistical Information], 2024 3, https://www.gob.mx/cms/uploads/attachment/file/958750/CE_2024_10.pdf.

⁸ Documenta, "Niñas y niños que viven con sus madres en prisión" [Children who Live with their Mothers in Prison], July 2021, <https://observatorio-de-prisiones.documenta.org.mx/archivos/4053>; "Albergan 18 penales femeniles al 40% de las mujeres privadas de la libertad, y el resto está en centros mixtos con calificación reprobatoria señalan especialistas, quienes se pronuncian en favor de la aplicación de programas de justicia restaurativa para esta población" [Eighteen women's prisons house 40% of incarcerated women, while the rest are in mixed-gender facilities with poor conditions, according to specialists, who advocate for the implementation of restorative justice programs for this population]. (National Human Rights Commission, March 2019, press release, https://www.cndh.org.mx/sites/default/files/documentos/2019-03/Com_2019_091.pdf).

⁹ National Human Rights Commission of Mexico, *Albergan 18 penales femeniles al 40% de las Mujeres*; Documenta, *Niñas y niños que viven con sus madres en prisión*.

¹⁰ Mexico Secretariat of Security and Citizen Protection, *Cuaderno Mensual de Información Estadística Penitenciaria Nacional* [Quarterly Journal of National Penitentiary Statistical Information], 2024 3, https://www.gob.mx/cms/uploads/attachment/file/958750/CE_2024_10.pdf.

¹¹ *El derecho de las mujeres privadas de libertad, ejercer una maternidad y crianza amorosa y positiva* [The Right of Incarcerated Women, to Exercise Motherhood and Loving and Positive Parenting], Mexico City Commission for Human Rights Bulletin, November 2023, 2, https://cdhcm.org.mx/wp-content/uploads/2023/11/Bol-162_Derecho-al-porvenir.pdf.

¹² "The Mexican Legal System at a Glance," Riverside County Law Library, May 17, 2024, <https://rclawlibrary.org/news/mexican-legal-system-glance>.

¹³ Riverside County Law Library, "The Mexican Legal System at a Glance."

¹⁴ Isabella Sánchez Di Egidio (Psychologist, Reinserta), in an interview with the author, October 2024.

¹⁵ Miranda Carballo Corrales, "La prisión: donde las brechas de género aumentan" [Prison: Where Gender Gaps Widen], Mexicans Against Corruption and Impunity, August 11, 2022, <https://contralacorrupcion.mx/la-prision-donde-las-brechas-de-genero-aumentan/>; Di Egidio, interview.

report speaking an indigenous language;¹⁶ 63 percent have completed a level of education equivalent to a high school diploma;¹⁷ and 3 percent report having no formal education.¹⁸

Many—83 percent—incarcerated women in Mexico are mothers.¹⁹ At the end of 2020, it was estimated that 350 incarcerated women were pregnant or lactating.²⁰ Some mothers have their children live with them in prison. According to the National Human Rights Commission of Mexico, in 27 out of 31 Mexican states, children have been identified living in prisons with their mothers.²¹ Of them, 97 percent were born during their mothers' incarceration.²² While the exact number of children living in prisons across the country remains undetermined, the estimated number is said to be 300 to 500.²³ Most children live in state prisons. Over half are between the ages of one and three years old, and few are as old as 12.²⁴

Children residing in prisons with their mothers make up just a small percentage of children affected by parental incarceration. Using data collected by INGEI and CEPAL, the Church World Service calculates that approximately 285,000 children under the age of 18 in Mexico have at least one biological parent in prison, with 30 percent of this population being under the age of six years old.²⁵

¹⁶ National Institute of Women, *Mujeres privadas de su libertad ¿Mujeres Invisibles?* [Incarcerated Women, Invisible Women?], Inequality in Statistics Bulletin no. 6, June 2022, 1, http://cedoc.inmujeres.gob.mx/documentos_download/MPDSL_MI_06.pdf.

¹⁷ National Institute of Statistics and Geography (INEGI), “*Encuesta Nacional de Población Privada de la Libertad (ENPOL)*” [National Survey on the Incarcerated Population (NSIP)], December 2021, 14, https://en.www.inegi.org.mx/contenidos/programas/enpol/2021/doc/enpol2021_presentacion_nacional.pdf.

¹⁸ INEGI, *Encuesta Nacional de Población Privada de la Libertad*, 14.

¹⁹ National Human Rights Commission of Mexico, *Informe diagnóstico sobre las condiciones de vida de las mujeres privadas de libertad desde un enfoque interseccional* [Diagnostic Report on the Living Conditions of Incarcerated Women from an Intersectional Perspective], 2022, 176, https://www.cndh.org.mx/sites/default/files/documentos/2022-04/Informe_Diagnostico_Mujeres_Privadas_Libertad.pdf.

²⁰ National Institute of Statistics and Geography (INEGI), *Censo Nacional de Sistema Penitenciario Federal y Estatales 2021, Presentación de resultados generales* [National Census of the Federal and State Penitentiary Systems 2021, Presentation of General Results], 2021, 63, https://www.inegi.org.mx/contenidos/programas/cnspef/2021/doc/cnsipef_2021_resultados.pdf

²¹ The identified states are: Chiapas, Chihuahua, Ciudad de México, Colima, Durango, Estado de México, Guanajuato, Guerrero, Hidalgo, Jalisco, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Zacatecas, Cefereso. (National Human Rights Commission of Mexico, *Diagnóstico Nacional de Supervisión Penitenciaria* [National Assessment of Penitentiary Supervision], 2021, 585-590, https://www.cndh.org.mx/sites/default/files/documentos/2022-04/DNSP_2021.pdf.)

²² National Institute of Women, *Mujeres privadas de su libertad*, 2.

²³ National Human Rights Commission of Mexico, *Diagnóstico Nacional de Supervisión Penitenciaria*, 26; Documenta, *Niñas y niños que viven con sus madres en prisión*.

²⁴ INEGI, *Encuesta Nacional de Población Privada de la Libertad*, 108; National Human Rights Commission of Mexico, *Informe diagnóstico*, 26.

²⁵ Luis Alberto Muñoz, *Informe final de investigación: Mexico. Niños, niñas y adolescentes con madres y padres encarcelados por delitos de drogas no violentos* [Mexico: Children and Adolescents with Mothers and Fathers

II. Laws Regarding Prison Nurseries and the Rights of Children

The two primary laws that concern the rights of children with incarcerated caregivers are the National Law of Criminal Enforcement (*la Ley Nacional de la Ejecución Penal*) and the General Law on the Rights of Girls, Boys, and Adolescents (*Ley General de los Derechos de Niñas, Niños, y Adolescentes*).

The National Law of Criminal Enforcement addresses the rights of incarcerated women, which includes their right to live together with their child born in prison until the child turns three years old.²⁶ If the child has a disability that requires specific care which cannot be provided by another caregiver, the mother may request an extension of the child's stay beyond this age limit.²⁷ The Santa Martha Acatitla Women's Prison is the only facility in which children are allowed to remain with their mothers beyond the age of three.²⁸ Some incarcerated mothers in Santa Martha have filed Writs of Amparo,²⁹ arguing that continued cohabitation is in the child's best interest. Courts have granted these requests, permitting children to stay until age six.³⁰ In such decisions, judges must prioritize the child's best interest above all other considerations, including those of the mother or prison authorities.³¹ Because children are legally required to enroll in preschool at age three, Santa Marta Acatitla has a preschool inside the facility.³²

The law also states that children living in prison shall be provided with adequate and age-appropriate resources for their healthy development, and that authorities should work with other institutions to ensure these conditions.³³ Resources required by the law include food,

Incarcerated for Non-Violent Drug Crimes], Church World Service (CWS), 2018, 21, <https://www.cwslac.org/nnapes-pdd/docs/PDD-Mexico.pdf>.

²⁶ Ley Nacional de Ejecución Penal [LNEP], art. 10, Diario Oficial de la Federación [DOF], 16-06-2016, 09-05-2018 (Mex.); Ley Nacional de Ejecución Penal [LNEP], art. 36, Diario Oficial de la Federación [DOF], 16-06-2016, 09-05-2018 (Mex.).

²⁷ Ley Nacional de Ejecución Penal [LNEP], art. 36, Sección I, Diario Oficial de la Federación [DOF], 16-06-2016, 09-05-2018 (Mex.).

²⁸ Di Egidio, interview October 2024.

²⁹ In Mexico, a Writ of Amparo is a legal remedy that protects individuals from actions or laws that violate their constitutional or human rights. Source: Gloria Orrego Hoyos, "The Amparo Context in Latin American Jurisdiction: An Approach to an Empowering Action," New York University School of Law GlobalLex, April 2023, <https://www.nyulawglobal.org/globallex/amparo1.html>.

³⁰ Di Egidio, interview June 2024.

³¹ Carla Angélica Gómez Macfarland (Instituto Belisario Domínguez, Senado de la República), *Menores que viven con sus madres en centros penitenciarios: legislación en México* [Children Living with Mothers in Prisons: Legislation in Mexico], General Directorate of Legislative Analysis Research Journal no. 24, August 2017, 25-27, <http://bibliodigitalibd.senado.gob.mx/bitstream/handle/123456789/3665/Cuaderno%20de%20investigaci%C3%B3n%2034.pdf?sequence=1&isAllowed=y>

³² Constitución Política de los Estados Unidos Mexicanos [CPEUM], Artículo 3, CP, Diario Oficial de la Federación [DOF] 05-02-1917, últimas reformas DOF 17-01-2025; Ley General de Educación [LGE], Artículo 65, Diario Oficial de la Federación [DOF] 13-07-1993, últimas reformas DOF 22-03-2017 (Mex.).

³³ Ley Nacional de Ejecución Penal [LNEP], art. 10, Diario Oficial de la Federación [DOF], 16-06-2016, 09-05-2018 (Mex.).

clothing, pediatric care, and education.³⁴ If a mother does not wish to retain custody of a child born during her incarceration, at her request, her family members will be contacted and the Office of the Protection of Girls, Boys, and Adolescents will be notified within 24 hours.³⁵ However, in most cases, mothers decide to cohabitate with their children in prison when possible.³⁶ The experience of incarceration is lonely and difficult, and many mothers prefer their children to accompany them during their sentence.³⁷

The National Law of Criminal Enforcement does not allow children born prior to a mother's incarceration to live with them; they may only visit. Typically, these children reside with another caregiver or family member. However, if there is no alternate caregiver, they may be placed in orphanages or, in rare cases, the adoption system.³⁸ There are no legal provisions that establish rights or obligations of incarcerated fathers with respect to contact or cohabitation with their children.³⁹

III. Considering Children and Parents in the Legal Process

There is no process or consideration of children's best interests during the sentencing or incarceration of a parent.⁴⁰ Cases are evaluated primarily on the type and severity of the offense and additional sentencing requirements established by law.⁴¹ Often, case evaluations fail to incorporate gender perspectives or the living situations of defendants, which are frequently relevant to understanding the motivations for engaging in illegal activity.⁴² Additionally, there is little collaboration with other institutions to ensure the wellbeing of children who are impacted during the sentencing process.⁴³ If anything, the consideration of women's roles as parents often results in further stigmatization and punishment.⁴⁴ Gender bias in the judicial process can lead to

³⁴ Ley Nacional de Ejecución Penal [LNEP], art. 10, Diario Oficial de la Federación [DOF], 16-06-2016, 09-05-2018 (Mex.).

³⁵ Ley Nacional de Ejecución Penal [LNEP], art. 36, Diario Oficial de la Federación [DOF], 16-06-2016, 09-05-2018 (Mex.).

³⁶ Di Egidio, interview October 2024.

³⁷ Di Egidio, interview October 2024.

³⁸ Rosalinda López (General Director, FUNFAI), in an interview with the author, November 2024.

³⁹ Reinserta, *Diagnóstico de maternidad y paternidad en prisión* [Assessment of Maternity and Paternity in Prison], 2019, 13, https://reinserta.org/wp-content/uploads/2023/10/DIAGNOSTICO-DE-MATERNIDAD-Y-PATERNIDAD-EN-PRISION-REINSERTA_compressed.pdf.

⁴⁰ Ana Echeverri (Executive Director, Reinserta) and Dulce Fuentes Leal (Director of Advocacy and Public Policy, Reinserta), in an interview with the author, January 2024; Isabella Sanchez Di Egidio (Psychologist, Reinserta), in an interview with the author, June 2024.

⁴¹ Equis, *Medidas alternativas al encarcelamiento en el nuevo sistema de justicia penal: posibilidades y barreras para su implementación en los casos de mujeres* [Alternative Measures to Incarceration in the New Criminal Justice System: Possibilities and Barriers to Their Implementation in Women's Cases], 2022, 31, <https://equis.org.mx/medidas-alternativa-al-encarcelamiento/>.

⁴² Equis, *Medidas alternativas al encarcelamiento*, 31.

⁴³ Equis, *Medidas alternativas al encarcelamiento*, 31.

⁴⁴ Di Egidio, interview October 2024; Di Egidio, interview June 2024; Equis, *Medidas alternativas al encarcelamiento*, 32.

women being judged not only as criminals, but also as deviants from societal gender ideals and as “bad” mothers.⁴⁵ This idea is often referred to as a “triple punishment,” highlighting how women are penalized simultaneously for their criminal behavior, deviance from gender norms, and perceived failures in their caregiving roles.⁴⁶

IV. Children Living in Prison

When a mother gives birth during incarceration, she retains the absolute right to live with her child in prison. There is no evaluation or formal process to determine whether or not cohabitation in the prison is appropriate or in the child’s best interest.⁴⁷

Despite a mothers’ right to live with her child, many prisons in Mexico lack the necessary infrastructure and resources to accommodate children.⁴⁸ Consequently, the possibility of cohabitation and preserving custody of a child born in prison depends on the availability of a *bebeteca* (nursery) or designated mothers unit.⁴⁹ If these spaces don’t exist or are unavailable, the child may be placed with a family member or institutionalized, infringing upon the rights of both the mother and child as a result of the prison’s failure to provide an appropriate space.⁵⁰ In other cases where there is no prison nursery or maternity area available, children may live with their mothers among the general population.⁵¹

One example of a separation due to inappropriate accommodations was observed in the Tijuana Prison, located in the state of Baja California. After giving birth, a woman was transferred back to prison while her newborn remained in the hospital for an additional week due to health complications. While separated from her child, staff informed the mother that they were unsuccessful in finding an alternate caregiver and notified her that the child would be placed under the care of the DIF. This occurred within just eight days of the woman giving birth, leaving the mother in a state of depression as she was abruptly separated from her newborn child and did not know where they would end up.⁵²

Additionally, during the child’s stay in prison, there is no formal oversight or monitoring of their well being. Instead, other women living in the mother’s unit or staff who work in the unit will informally monitor concerning behavior.⁵³ In some instances, when mothers or staff observe abusive or neglectful behavior towards children, they file a complaint with the director of the

⁴⁵ Di Egidio, interview October 2024.

⁴⁶ Di Egidio, interview June 2024; Equis, *Medidas alternativas al encarcelamiento*, 31.

⁴⁷ Di Egidio, interview October 2024.

⁴⁸ National Human Rights Commission of Mexico, *Informe diagnóstico*, 173.

⁴⁹ National Human Rights Commission of Mexico, *Informe diagnóstico*, 73.

⁵⁰ National Human Rights Commission of Mexico, *Informe diagnóstico*, 178.

⁵¹ Reinserta, *Diagnóstico de Maternidad y Paternidad*, 34.

⁵² National Human Rights Commission of Mexico, *Informe diagnóstico*, 178.

⁵³ Di Egidio, interview October 2024.

prison.⁵⁴ If the complaint warrants an escalation, the director calls the National System for Integral Family Development (*Sistema Nacional para el Desarrollo Integral de la Familia*, or the DIF), a public organization akin to child protection agencies in the United States responsible for protecting the rights and best interests of children.⁵⁵ Thus, this process is reactive and depends on the willingness of others to report concerning behavior.⁵⁶

The system is further complicated by reported corruption.⁵⁷ Living with a child in prison can sometimes grant women certain “benefits” or “privileges,” such as extra food, separate housing units, or exemptions from solitary confinement.⁵⁸ These “advantages” increase the risk of corruption by creating incentives for mothers to keep their children in prison even under unsuitable circumstances.⁵⁹ If threatened with having her child removed, a mother could “pay off” officials to avoid separation and loss of “privileges” or resources.⁶⁰ Despite the differential treatment that is sometimes given to mothers with children in prison, it is important to note that the conditions of prison nurseries are far from adequate or nice places to raise and live with children.⁶¹

V. Prison Nurseries

There are a number of maternity areas and learning spaces for young children in Mexican prisons, however the exact number of prison nurseries in Mexico remains unknown. Based on existing information, it appears that the majority of institutions housing women do not contain nurseries or mothers’ units.⁶² Non-governmental organizations have primarily been responsible for the development of existing nurseries.

Documenta has identified 11 maternity spaces and 27 early childhood education spaces in Mexican prisons.⁶³ Meanwhile, the National Census of Federal and State Penitentiary Systems identified 58 prison facilities with special infrastructure for maternity units at the end of 2020.⁶⁴

⁵⁴ Di Egidio, interview October 2024.

⁵⁵ Di Egidio, interview October 2024; “¿Qué hacemos?” Sistema Nacional DIF [What do we do? National SFD System], Government of Mexico, accessed November 2024, <https://www.gob.mx/difnacional/que-hacemos>.

⁵⁶ Di Egidio, interview October 2024.

⁵⁷ Di Egidio, interview October 2024.

⁵⁸ Reinserta, *Diagnóstico de maternidad y paternidad*, 37.

⁵⁹ Di Egidio, interview October 2024.

⁶⁰ Di Egidio, interview October 2024.

⁶¹ Reinserta, *Diagnóstico de maternidad y paternidad*, 37.

⁶² Alan García Huitron, Rosa Edith Pérez Hernández and Erika Yazmin Pérez Hernández, “¿Libres en prisión? Niñas y niños que nacieron y vivieron con su madre en el Centro Femenil de Reinserción Social Santa Martha Acatitla” [Free in Prison? Girls and Boys Who Were Born and Lived with Their Mothers in the Santa Martha Acatitla Women’s Social Reintegration Center], *Revista Mexicana de Ciencias Penales* [Mexican Journal of Criminal Sciences] 3, no. 9 (July 2019): 155, <https://doi.org/10.57042/rmcp.v3i9.90>; Reinserta, *Diagnóstico de maternidad y paternidad*, 34-35; National Human Rights Commission of Mexico, *Informe diagnóstico*, 173-174, 177-179.

⁶³ ASILegal, “Infancias viviendo con sus madres en prisión” [Children Living with their Mothers in Prison], press release, May 2023, <https://asilegal.org.mx/infancias-viviendo-con-sus-madres-en-prision/>.

⁶⁴ INEGI, *Censo Nacional de Sistema Penitenciario*, 12.

The disparities in the recorded number of prison nurseries or mothers units are likely due to the differences in what qualifies or is counted as a prison nursery in each study. Some “maternity areas” refer to groups of cells reserved for mothers with children but contain little to no additional infrastructure. Other maternity spaces include specialized infrastructure, furniture, and resources.⁶⁵

A CNDH investigation which assessed infrastructure in prisons that reported having a maternity area found that only four state prisons had nurseries or mothers’ units that met CENDI (*Centro de Desarrollo Infantil*, or Center for Child Development) standards.⁶⁶ To qualify as a CENDI, the facility must provide age-appropriate socio-educational services to children between the ages of 45 days to six years old.⁶⁷ These services must include medical, pedagogical, and social support from specialized staff to facilitate early learning and healthy child development. Among other requirements, CENDIs must also contain sanitary spaces for lactation and childcare, breast milk storage, a kitchen, accessibility of outdoor recreational activities, and communal areas.

To house mother-child pairs, facilities should be exclusively for women. However, despite the law mandating the separation of male and female populations, there are only 18 state centers exclusively for women plus one federal center, and 91 mixed gender centers.⁶⁸ Oftentimes, facilities in male areas are used for the women’s population, such as visitation areas and medical units.⁶⁹ The lack of exclusive facilities for female populations reduces the possibilities of having mothers’ units and spaces dedicated or safe for children.⁷⁰

The CNDH has identified at least 10 prisons that do not allow children to cohabitate with their mothers.⁷¹ Further, the commission has found that prisons in many states, particularly those of Baja California, Campeche, Puebla, Sonora, and Tamaulipas, do not have spaces for maternity, childcare, lactation, and other resources necessary for cohabitation.⁷²

⁶⁵ National Human Rights Commission of Mexico, *Informe diagnóstico*, 187.

⁶⁶ National Human Rights Commission of Mexico, *Informe diagnóstico*, 187.

⁶⁷ Secretary of Public Education, *Qué es un centro de desarrollo infantil CENDI?* [What is a Child Development Center CDC?], accessed December 2024, 27, <http://www.segob.gob.mx/work/models/SEGOB/Resource/1093/5/images/Que-es-un-CENDI.pdf>.

⁶⁸ Documenta, *Niñas y Niños Que Viven Con sus madres en prisión*.

⁶⁹ National Human Rights Commission of Mexico, *Informe diagnóstico*, 174.

⁷⁰ Documenta, *Niñas y niños que viven con sus madres en prisión*.

⁷¹ These prisons are located in Baja California, Chiapas, the Federal District, Jalisco, Nayarit, San Luis Potosi, Yucatan, and Zacatecas. Huitron, Edith Pérez Hernández & Yazmin Pérez Hernández. “¿Libres en prisión?” 155.

⁷² National Human Rights Commission of Mexico, *Informe diagnóstico*, 167).

The construction and development of nurseries and maternity spaces in prisons has predominantly been led by Reinserta, a non-governmental organization in Mexico. Reinserta has built and remodeled several prison nurseries, maternity units, and visiting areas, working in a total of 14 prisons and reintegration centers at the time of writing.⁷³ They have constructed five dignified spaces for children, including nurseries in Mexico City and Nuevo Leon.⁷⁴ Reinserta has also contributed to improving conditions in the facilities of Santa Martha, Ecatepec, Nezahualcóyotl Sur, Santiaguito de Almoloya, and General Escobedo.⁷⁵

The organization works to create safe, dignified spaces that are conducive to healthy child development and education. They have created mothers' units with bright colors, toys, and additional infrastructure to foster a more peaceful and child-appropriate environment.⁷⁶ According to Reinserta, their work has influenced state governments by serving as a model for the funding and implementation of additional prison nurseries and maternity spaces.⁷⁷

Beyond developing infrastructure, Reinserta utilizes their spaces to conduct workshops which support incarcerated mothers, children living in prisons, and youth visiting incarcerated parents. These initiatives include a psychoeducational program for incarcerated women, a child development program, and a parenting workshop for incarcerated parents and caregivers of children affected by parental incarceration.⁷⁸ Fatherhood workshops are also offered in select men's prisons.⁷⁹

⁷³ Isabella Sanchez Di Egidio, "Reinserta - Global Prison Nursery Symposium, 2024," 2024 Children Living with Their Mothers in Prison: Advocacy and Alternatives, 2nd Annual Global Prison Nursery Network Symposium, November 1, 2024, Columbia Law School, video, 05:32:37, https://www.youtube.com/watch?v=hXSQZHvjw3U&t=3578s&ab_channel=ChildrenofIncarceratedCaregivers.

⁷⁴ Isabella Sanchez Di Egidio, "Reinserta - Global Prison Nursery Symposium, 2024."

⁷⁵ Echeverri and Fuentes Leal, interview.

⁷⁶ Echeverri and Fuentes Leal, interview.

⁷⁷ Echeverri and Fuentes Leal, interview.

⁷⁸ Echeverri and Fuentes Leal, interview.

⁷⁹ Echeverri and Fuentes Leal, interview.



Photograph of the outside of a prison nursery established by Reinserta, located at the Social Prevention and Reintegration Center (CPRS) Santiaguito in the State of Mexico. Photo credit: Reinserta.



Photograph of a prison nursery established by Reinserta, located at the Social Prevention and Reintegration Center (CPRS) Santiaguito in the State of Mexico. Photo credit: Reinserta.

VI. Conditions

Those who have entered prisons containing children have described the conditions and resources provided to mothers and children as suboptimal.⁸⁰ Others have described the conditions as violent, overpopulated, and inhumane.⁸¹ Children living in prisons are often subjected to the same conditions and procedures of the general prison population, which are not designed nor equipped to address children's vulnerabilities or prioritize their best interests.⁸² In the absence of separate areas, children are exposed to harm and violence.⁸³ For instance, in Mexican prisons, there is no segregation of sex offenders from the general population.⁸⁴ The lack of separation has resulted in cases of sexual abuse involving children who visit or reside in these facilities,

⁸⁰ Di Egidio, interview October 2024; National Human Rights Commission of Mexico, *Diagnóstico Nacional de Supervisión Penitenciaria*, 605.

⁸¹ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 35.

⁸² National Human Rights Commission of Mexico, *Diagnóstico Nacional de Supervisión Penitenciaria*, 605; Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 34-35.

⁸³ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 34-35.

⁸⁴ Echeverri and Fuentes Leal, interview.

highlighting the importance of creating separate, secure spaces for children who enter in any capacity.⁸⁵

While the work of non-governmental organizations has significantly improved conditions in centers where they operate, many prisons lack the infrastructure to separate and support the children living in them, though conditions vary.⁸⁶ In CNDH interviews with mothers in a Veracruz prison, one woman shared that “...the conditions of the facilities are very good, and the treatment is as well, if there are spaces for maternity and children.”⁸⁷ However, many women have described motherhood in prison as “...sad, difficult, hard, depressing, and hopeless” due to poor conditions.⁸⁸ Investigations into women’s facilities have demonstrated significant deficiencies in the treatment and care of mothers and children living within them.⁸⁹ The lack of resources often leaves mothers uncertain about how long their children will be able to stay with them, if at all. Ultimately, the conditions and treatment of women and children depend on the specific prison, whether a mothers’ unit or nursery exists, and their conditions.⁹⁰

Scarce government resources further exacerbate the challenges faced by mothers and children living in prisons. According to the 2021 National Prison Population Survey, 58 percent of mothers reported that the food provided was insufficient for the development of their children.⁹¹ Many facilities do not provide additional or sufficient food for children, causing some women to feed their children from their own ration of food—often a small and nutritionally insufficient portion.⁹² Basic resources for infants and children, such as formula, diapers, and clothing, are mostly provided via donations or by the mothers’ family members on the outside. Most children also lack toys, which are crucial for development.⁹³ Often, mothers have to work within the prison or informally for other incarcerated women in order to purchase basic resources.⁹⁴ The absence of nurseries or daycare facilities makes this especially challenging, as mothers must balance caregiving responsibilities with the need to work.

⁸⁵ Echeverri and Fuentes Leal, interview.

⁸⁶ National Human Rights Commission of Mexico, *Informe diagnóstico*, 190.

⁸⁷ National Human Rights Commission of Mexico, *Informe diagnóstico*, 185.

⁸⁸ National Human Rights Commission of Mexico, *Informe diagnóstico*, 185.

⁸⁹ National Human Rights Commission of Mexico, *Diagnóstico Nacional de Supervisión Penitenciaria*, 605.

⁹⁰ National Human Rights Commission of Mexico, *Informe diagnóstico*, 187.

⁹¹ ASILegal, “Infancias viviendo con sus madres.”

⁹² National Human Rights Commission of Mexico, *Informe diagnóstico*, 185.

⁹³ ASILegal, “Infancias viviendo con sus madres.”

⁹⁴ Reinsera and the National Institute of Women, *Diagnóstico de las circunstancias*, 35; National Human Rights Commission of Mexico, *Informe diagnóstico*, 185; National Human Rights Commission of Mexico, *Informe especial de la Comisión Nacional de los Derechos Humanos sobre el estado que guardan los derechos humanos de las mujeres internas en centros de reclusión de la República Mexicana* [National Human Rights Commission Special Report on the Status of the Human Rights of Incarcerated Women in Detention Centers in the Mexican Republic], accessed June 2024, 24-26, <https://www.cndh.org.mx/documento/informe-especial-de-la-comision-nacional-de-los-derechos-humanos-sobre-las-mujeres>.

Maternity areas that lack specialized infrastructure pose additional safety risks. For instance, cells often contain narrow one-person bed bunks, and few facilities provide modified beds for mothers with children. To ensure a safe and comfortable sleeping arrangement, mothers must pay for wooden extensions or an extra bed.⁹⁵ Those who cannot afford this cost must share the single bunk with their baby, increasing the risk of accidents. Some children have suffered serious injuries from falls as a result.⁹⁶ In one facility, four women and a one-year-old child were living together in a cell equipped with only two bunks, exemplifying the lack of appropriate accommodations.⁹⁷

Children's right to education is also jeopardized, as the majority of prisons where children reside do not have a certified CENDI (*Centro de Desarrollo Infantil*, or Child Development Center).⁹⁸ In a Reinserta survey, 80 percent of mothers reported that their child did not have access to sufficient educational programming, and 96 percent stated their child did not have access to school supplies.⁹⁹

VII. Exit Process

When a child ages out or is removed from the prison, if possible, mothers transfer guardianship of their child to a non-incarcerated family member who can care for them.¹⁰⁰ However, the separation process has been described as difficult and abrupt.¹⁰¹ The National Supreme Court of Justice has recommended that the exit process be more gradual and progressive in consideration of the emotional impact of parental separation.¹⁰²

There is no legal or standardized protocol to guarantee the well-being of children when they leave the prison.¹⁰³ Non-governmental organizations have developed programs to ease this transition in some prisons. Reinserta, a non-profit organization dedicated to supporting and protecting youth exposed to violence in Mexico, offers several programs to support incarcerated parents and their children. One of such programs includes their *Ohana* workshop, which helps facilitate a healthy separation between the mother and child when they leave the nursery. In collaboration with prison directors and the DIF, staff at Reinserta evaluate the safety of the

⁹⁵ National Human Rights Commission of Mexico, *Informe diagnóstico*, 187-190.

⁹⁶ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 34.

⁹⁷ National Human Rights Commission of Mexico, *Informe diagnóstico*, 188.

⁹⁸ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 38.

⁹⁹ ASILegal, "Infancias viviendo con sus madres."

¹⁰⁰ Ibarra, "Ser madre privada de libertad," 8; National Human Rights Commission of Mexico, *Informe diagnóstico*, 177-78; López, interview.

¹⁰¹ Muñoz, *Informe Final de Investigación: Mexico*, 12; Reinserta A.C., "¿Te imaginas cómo es la vida de los niños que nacen y crecen en prisión?" [Can you imagine what life is like for children who are born and raised in prison?], posted April 11, 2023, video, <https://www.youtube.com/watch?v=es6r8jJGCnU>.

¹⁰² Muñoz, *Informe Final de Investigación: Mexico*, 12.

¹⁰³ Reinserta, *Diagnóstico de Maternidad y Paternidad*, 36.

environment in which the child will be placed upon exit, connect the child to therapy services, and continue supporting the mother once her child has left the prison.¹⁰⁴

A. Orphanage Placement

When no family member or alternate caregiver is available to take custody of the child upon exit, they are placed in an orphanage or enter into the adoption process.¹⁰⁵ Adoption is rare and is only considered when reuniting the child with their mother after release would endanger them (primarily in situations of abuse or abandonment), or if the mother is serving an extremely long sentence.¹⁰⁶

There are approximately 800 centers for social assistance (*centros de asistencia social*) in Mexico that provide care and residential assistance to children.¹¹¹ However, placement in state care institutions is especially challenging for children born in prison, as they often face stigmatization which can hinder their admission into care institutions.¹¹² Additionally, the conditions have been reported as dismal.¹¹³ Orphanages in Mexico suffer from a general lack of oversight, accountability, and funding, resulting in numerous reports of abuse and inhumane living conditions.¹¹⁴ Due to these poor conditions, many children escape from orphanages to live on the streets,

FUNFAI (*Fundación Familiar Infantil IAP*, or Family and Children's Foundation) is a private social assistance institution and the only orphanage in Mexico dedicated to housing and supporting children separated from their families due to incarceration.¹⁰⁷ Founded in 1989, FUNFAI is dedicated to transforming the lives of children who are born in prison or left without adequate support networks when separated from an incarcerated parent.¹⁰⁸ The organization provides a wide range of services, including housing, education, health, and psychological care for children, incarcerated parents, and non-incarcerated caregivers.¹⁰⁹ Children between the ages of 2 and 8 may be admitted, and can reside at FUNFAI until they turn 12. The facility can accommodate up to 42 children, and at the time of writing, was caring for 25.¹¹⁰

¹⁰⁴ Di Egidio, interview October 2024.

¹⁰⁵ Ibarra, "Ser madre privada de libertad," 8; López, interview.

¹⁰⁶ López, interview.

¹⁰⁷ López, interview.

¹⁰⁸ "¿Quiénes somos?" [Who are we?], FUNFAI, accessed November 2024, <https://www.funfai.org.mx/quienes-somos/>; López, interview.

¹⁰⁹ López, interview.

¹¹⁰ López, interview.

¹¹¹ López, interview.

¹¹² López, interview.

¹¹³ Di Egidio, interview October 2024.

¹¹⁴ "Not All Orphanages Are Equal: Make Sure You Support a Trusted Organization," International Community Foundation, March 29, 2018, <https://icfdn.org/not-orphanages-equal-make-sure-support-trusted-organization/>.

increasing risks of violence and involvement with organized crime.¹¹⁵

Orphanages are typically organized by age group, yet there is no official national census for documenting and tracking children placed in these institutions.¹¹⁶ Children are moved from one orphanage to another as they grow, and with no comprehensive record-keeping system, it is difficult to keep track of them.¹¹⁷ As a result, incarcerated mothers whose children are institutionalized often lose contact and receive little to no information about their location or well-being.¹¹⁸

Beyond FUNFAI, little is known about state or private institutions that care for children affected by parental incarceration, as there is no governmental agency specifically tasked with supporting this population.

In an interview with CIC, FUNFAI's director Rosalinda López explained that many state-run and private orphanages are often reluctant to house children with incarcerated parents due to stigmatization and the belief that children with incarcerated parents are "bad," violent, or potentially dangerous.¹¹⁹ FUNFAI aims to challenge these harmful perceptions while addressing the needs of this population.¹²⁰

During the intake process, staff conduct comprehensive evaluations to identify each child's specific needs.¹²¹ This includes assessing their level of education, physical health, and psychological well-being. Staff have observed that children who enter FUNFAI after living in prison nurseries often suffer nutritional deficiencies, gaps in education, and psychological trauma.¹²² To address these issues, FUNFAI registers children for school, provides psychological treatment by connecting children to specialists in trauma and violence, and gradually works towards establishing a healthy, structured routine in the child's life.¹²³

Additionally, FUNFAI collaborates with Reinserta (primarily at the Santa Marta Acatitla women's facility) to host workshops and support incarcerated mothers and their children.¹²⁴ Caring for a child in prison is challenging, and many mothers express the need for additional

¹¹⁵ Di Egidio, interview October 2024.

¹¹⁶ Di Egidio, interview October 2024; International Community Foundation, "Not All Orphanages Are Equal."

¹¹⁷ Di Egidio, interview October 2024; Brooklyn Rich, "Supporting Orphanages in Mexico," *The Borgen Project*, blog, February 20, 2023, <https://borgenproject.org/orphanages-in-mexico/>.

¹¹⁸ Di Egidio, interview October 2024.

¹¹⁹ López, interview.

¹²⁰ López, interview.

¹²¹ López, interview.

¹²² López, interview.

¹²³ López, interview.

¹²⁴ López, interview.

support.¹²⁵ FUNFAI ensures that mothers are aware of their services and the option to place their child in their residence. If the mother chooses to do so, FUNFAI staff facilitate the transition of children out of prison and into their care before the child turns three or when they age out of the prison nursery.¹²⁶ In either case, the organization prioritizes preserving continued contact and relationships between the mother and child when they are separated.¹²⁷ During the child's stay, FUNFAI staff encourage frequent contact and facilitate visits.¹²⁸

Additionally, staff host monthly discussions with mothers to provide updates on their children's well-being, medical information, educational progress, and other important life milestones.¹²⁹ These updates enable mothers to participate meaningfully in the lives of their children even when not living together.¹³⁰

FUNFAI also provides support for family members and caregivers who will care for the child after they leave the residence.¹³¹ Extended family members are invited and encouraged to visit the child throughout their stay at FUNFAI and participate in recreational or school-related activities to strengthen bonds and ease the transition out of the facility.¹³² Upon a child's exit, staff attempt to maintain regular contact with their family. They conduct phone call check-ins to assess how the children are doing and identify any additional support the family may need.¹³³ While maintaining consistent contact is not always feasible, testimonies from former residents highlight the positive impact of FUNFAI's work on their lives.¹³⁴ Since its establishment, FUNFAI has supported more than 600 children affected by parental incarceration.¹³⁵

VIII. Pregnancy in Prison

According to the most recent national estimates, approximately 350 incarcerated women in Mexico are pregnant or breastfeeding.¹³⁶ In 2022, Mexico City alone recorded 258 pregnant incarcerated women in its prisons.¹³⁷ While some women enter prison already pregnant, many

¹²⁵ López, interview.

¹²⁶ López, interview.

¹²⁷ López, interview.

¹²⁸ López, interview.

¹²⁹ López, interview.

¹³⁰ López, interview.

¹³¹ López, interview.

¹³² López, interview.

¹³³ López, interview.

¹³⁴ López, interview.

¹³⁵ López, interview.

¹³⁶ National Human Rights Commission of Mexico, *Informe diagnóstico*, 184.

¹³⁷ Mexico City Commission for Human Rights Bulletin, *El derecho de las mujeres*.

conceive during their incarceration.¹³⁸ This is often due to conjugal and intercarceral visits (visits between incarcerated individuals) permitted in some facilities, which frequently result in pregnancies.¹³⁹ Thus, many children born in prison often are born to two incarcerated parents.¹⁴⁰

Additionally, reproductive healthcare is largely inaccessible in prison. In a survey conducted by Reinserta, 83 percent of pregnant women described their pregnancies as unwanted or unplanned, with only 17 percent considering their pregnancy as desired.¹⁴¹ This trend is linked to both limited access to healthcare and information.¹⁴² A CNDH survey found that only 44 percent of pregnant women surveyed had received information about reproductive healthcare, contraceptive options, and their right to make informed decisions.¹⁴³ This is despite the fact that prison staff are authorized to provide information about contraceptives and family planning options.¹⁴⁴ This lack of information not only contributes to unwanted pregnancies during incarceration, but also increases the risks of sexually transmitted diseases before, during, and after pregnancy.¹⁴⁵ Further, the same CNDH report revealed that only 33 percent of women had access to gynecological care, while 51.7 percent reported having no access.¹⁴⁶ Medication accessibility is also a critical issue: only 27 percent of women reported being provided medication by the prison, while 48 percent relied on purchasing it themselves or receiving it through family members or others.¹⁴⁷

Prenatal care and resources have also been described as insufficient. In a survey of 11 prisons, only 17 percent of pregnant women reported receiving specialized medical care on a weekly basis, with 33 percent receiving it on a monthly basis.¹⁴⁸ In contrast, 17 percent stated that they had only received such care one time during their incarceration. Further, the majority of respondents indicated that the food provided in prison did not meet their nutritional needs during pregnancy.¹⁴⁹ The 2021 National Survey of the Population of Incarcerated People (*Encuesta Nacional de la Población Privada de la Libertad*, ENPOL) revealed additional barriers to healthcare access. According to the survey, 18 percent of pregnant women were unable to receive medical care due to staff refusal, lack of personnel, or being charged for medical services.¹⁵⁰ As a result, prenatal care is limited in many prisons. For instance, in the Hermosillo Federal Prison, a

¹³⁸ Di Egidio, interview October 2024.

¹³⁹ Di Egidio, interview October 2024.

¹⁴⁰ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 34.

¹⁴¹ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 79.

¹⁴² Di Egidio, interview October 2024.

¹⁴³ National Human Rights Commission of Mexico, *Informe diagnóstico*, 163-164.

¹⁴⁴ National Human Rights Commission of Mexico, *Informe diagnóstico*, 163-164.

¹⁴⁵ National Human Rights Commission of Mexico, *Informe diagnóstico*, 163-166; Di Egidio, interview October 2024.

¹⁴⁶ National Human Rights Commission of Mexico, *Informe diagnóstico*, 200.

¹⁴⁷ National Human Rights Commission of Mexico, *Informe diagnóstico*, 201.

¹⁴⁸ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 80.

¹⁴⁹ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 80.

¹⁵⁰ INEGI, *Encuesta Nacional de Población Privada de la Libertad*, 35.

resident reported that pregnant women were only attended to when they were about to give birth.¹⁵¹

When women give birth while incarcerated, they are usually transferred to a medical center or hospital in accordance with the specific protocol of their facility. A few days after delivery, the mother is transferred out of the medical center back into prison and placed into a mothers' unit or nursery if such facilities are available. In prisons without nursery units, authorities may determine that the mother and child cannot cohabitate due to inadequate resources or an unsuitable environment in the prison.¹⁵² In these situations, the child is usually placed with an alternate caregiver or a state or private institution.¹⁵³

IX. Children Born Outside of Prison

Children born prior to their mother's incarceration are not permitted to live with them in prison. Thus, caregiving responsibilities are usually passed on to family members or children are placed in orphanages when no alternate caregiver is available. The exact number of children with incarcerated parents under state care remains undetermined. Reinserta estimates that 40 percent of children separated from parents due to incarceration live in state institutions, namely orphanages. In contrast, a compilation of government data by the CWS suggests that only 10 percent of such children live in public or private institutions, while the National Center for Human Rights reports that the majority of children experiencing maternal separation reside with their grandmothers, fathers, aunts, or other family members.¹⁵⁴

Regardless of whether a child lives with family members or is placed in an institution, the state has an obligation to inform incarcerated parents about their child's living conditions and their well-being.¹⁵⁵ However, this obligation is rarely met. Oftentimes, mothers lose contact with their children once they leave and are not informed of where they live.¹⁵⁶ Further, reconnecting with children after completing a prison sentence is challenging due to lack of contact, little information about the child's whereabouts, and the stigma associated with being an incarcerated parent.¹⁵⁷

¹⁵¹ National Human Rights Commission of Mexico, *Informe diagnóstico*, 163.

¹⁵² National Human Rights Commission of Mexico, *Informe diagnóstico*, 189; Documenta, *Niñas y niños que viven con sus madres en prisión*.

¹⁵³ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 35.

¹⁵⁴ Muñoz, *Informe final de investigación: Mexico*, 23; National Human Rights Commission of Mexico, *Informe diagnóstico*, 180.

¹⁵⁵ National Human Rights Commission of Mexico, *Informe diagnóstico*, 180.

¹⁵⁶ National Human Rights Commission of Mexico, *Informe diagnóstico*, 180.

¹⁵⁷ Reinserta and the National Institute of Women, *Diagnóstico de las circunstancias*, 39.

X. Conclusion

The decision of whether a child is better off in an orphanage, with an alternate caregiver, or in a prison nursery is dependent upon their individual circumstances and the resources available in each setting. If they are able to reside in a well-resourced institution like FUNFAI, or in a prison nursery with sufficient funding and programming, these options may be more beneficial than placement with an alternate caregiver. For this reason, individualized assessments of the child's situation and options appear to be the most effective approach for determining best placement when a parent is incarcerated.¹⁵⁸

¹⁵⁸ Di Egidio, interview October 2024.